

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

HOUSE BILL 2614

By: Fourkiller

AS INTRODUCED

An Act relating to animals; creating the Oklahoma Animal Abuse Offender Registry Act; creating a registry within the Oklahoma State Bureau of Investigation; providing persons convicted of violating certain animal abuse crimes shall be registered; requiring the Bureau to maintain the registry; requiring registry to contain certain information; requiring district court clerks to forward case information to Bureau; providing length of time violator's information shall be maintained; authorizing persons with deferred sentence to apply to Bureau to be removed from registry; requiring registry website be available for public viewing; directing the Bureau to promulgate certain rules; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 801 of Title 4, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the Oklahoma Animal Abuse Offender Registry Act.

B. There is hereby created within the Oklahoma State Bureau of Investigation a registry of persons who, after November 1, 2018,

1 have been convicted, whether upon a verdict or plea of guilty or
2 upon a verdict or plea of nolo contendere, or received a suspended
3 sentence or any deferred or probationary term, or are currently
4 serving a sentence or any form of probation or parole for a crime or
5 attempt to commit a crime of:

6 1. Damaging the enterprise conducted at an animal facility
7 pursuant to the provisions of Section 1680.2 of Title 21 of the
8 Oklahoma Statutes;

9 2. Poisoning an animal pursuant to the provisions of Section
10 1681 of Title 21 of the Oklahoma Statutes;

11 3. Instigating fights between animals pursuant to the
12 provisions of Section 1682 of Title 21 of the Oklahoma Statutes;

13 4. Keeping places for fighting animals pursuant to the
14 provisions of Section 1683 of Title 21 of the Oklahoma Statutes;

15 5. Acts of cruelty to animals pursuant to the provisions of
16 Section 1685 of Title 21 of the Oklahoma Statutes;

17 6. Using live animals as lure in training of greyhounds
18 pursuant to the provisions of Section 1685.1 of Title 21 of the
19 Oklahoma Statutes;

20 7. Abandoning a maimed, diseased, disabled or infirm animal
21 pursuant to the provisions of Section 1686 of Title 21 of the
22 Oklahoma Statutes;

23 8. Carrying an animal in a cruel manner pursuant to the
24 provisions of Section 1688 of Title 21 of the Oklahoma Statutes;

1 9. Administering of poisonous drugs to animals pursuant to the
2 provisions of Section 1689 of Title 21 of the Oklahoma Statutes;

3 10. Abandoning animals along streets or highways pursuant to
4 the provisions of Section 1691 of Title 21 of the Oklahoma Statutes;

5 11. Cockfighting pursuant to the provisions of Sections 1692.1
6 through 1692.9 of Title 21 of the Oklahoma Statutes;

7 12. Dogfighting pursuant to the provisions of Sections 1693
8 through 1699.2 of Title 21 of the Oklahoma Statutes; and

9 13. Bear wrestling and horse tripping pursuant to the
10 provisions of Section 1700 of Title 21 of the Oklahoma Statutes.

11 C. The registry created in subsection B of this section shall
12 be maintained by the Bureau.

13 D. The registry shall consist of the following information:

14 1. Name and address of the person;

15 2. Date of birth of the person;

16 3. The offense or offenses which made the person eligible for
17 inclusion on the registry;

18 4. The date of conviction or the date that a plea of guilty or
19 nolo contendere was accepted by the court for any violation of an
20 offense provided for in subsection B of this section;

21 5. The county where the offense or offenses occurred; and

22 6. Such other identifying data as the Bureau determines is
23 necessary to properly identify the person.
24

1 E. Beginning November 1, 2018, all district court clerks shall
2 forward a copy of the judgment and sentence or other applicable
3 information relating to the disposition of the criminal case and
4 date of birth of all persons who are subject to the provisions of
5 the Oklahoma Animal Abuse Offender Registry Act for a violation of
6 the offenses described in subsection B of this section to the
7 Bureau. The information shall be sent in an electronic format in a
8 manner prescribed by the Bureau within thirty (30) days of the date
9 of final disposition of the case.

10 F. 1. Upon a person's first conviction of a violation of any
11 of the offenses described in subsection B of this section, the
12 Bureau shall maintain on the animal abuse offender registry the name
13 and other identifying information of the person for two (2) years
14 after the date of the most recent judgment and sentence, after which
15 time the Bureau shall remove the person's name and other identifying
16 information from the list, provided the person is not convicted of
17 another violation of any of the offenses described in subsection B
18 of this section during the two-year period.

19 2. Upon a person's subsequent conviction of a violation of any
20 of the offenses described in subsection B of this section, the
21 Bureau shall maintain on the animal abuse offender registry the name
22 and other identifying information of the person for five (5) years
23 after the date of the most recent judgment and sentence, after which
24 time the Bureau shall remove the person's name and other identifying

1 information from the list, provided the person is not convicted of
2 another violation of any of the offenses described in subsection B
3 of this section during the five-year period.

4 3. Any person having received a deferred sentence that expires
5 prior to the time limitations provided in this subsection may apply
6 to the Bureau to be removed from the registry upon the completion of
7 the deferred sentence by providing to the Bureau a certified copy of
8 the dismissal of the case by certified mail. The Bureau may remove
9 the person from the animal abuse offender registry upon expiration
10 of the deferred sentence.

11 G. On or prior to November 1, 2019, the Oklahoma State Bureau
12 of Investigation shall maintain an animal abuse offender registry
13 website available for viewing by the public.

14 H. The Oklahoma State Bureau of Investigation shall take
15 necessary actions through the promulgation of rules and cooperation
16 with the courts to ensure that notice of the provisions of this
17 section is provided to those persons subject to the animal abuse
18 offender registry as listed in subsection B of this section.

19 SECTION 2. This act shall become effective November 1, 2018.
20

21 56-2-8366 AMM 12/04/17
22
23
24